



224014

## FACT SHEET

Region V Exemption Request  
I.J. Recycling, Fort Wayne, Indiana

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1. ISSUE: Region V is requesting approval of an exemption request of the \$2,000,000 statutory limitation on removal actions. This request would increase the authorized ceiling at this site from \$1,958,900 to \$3,429,000.
2. BACKGROUND: The facility, formerly known as Continental Waste Systems, began operations in 1981 as a waste recovery and reclamation facility. It includes three main buildings, a fire house, two pump houses, and a tank farm. Small business, residential areas, and Indiana's largest shopping mall are adjacent to the facility. After several fires and spills, the facility closed in 1985. The facility operated again under new ownership until 1986 when the State issued an order preventing the company from accepting additional hazardous material until the existing inventory was reduced. The owners have stated that they do not have the funds to undertake cleanup activities. Analysis has shown hazardous materials including phenol, diethylphthalate, methyl phenol, toluene, xylene, tetrachloroethene, bromoform, PCBs, lead, cadmium, and chromium are stored at the site in deteriorated drums and tanks. The Region does not know how much longer the tanks can remain intact. Any release could result in the threat of fire and explosion, direct contact and drinking water contamination.
3. ACTION TO BE TAKEN: The funding increase will allow for the continuation of the disposal of the drummed and bulk liquids. This will stabilize the site sufficiently so that negotiations may be conducted with the potentially responsible parties (PRP) for the removal of sludges and site decontamination.
4. OPTIONS: Headquarters generally has four options when handling these types of Regional requests. The AA/OSWER can approve the request, partially approve the request, disapprove the request, or request more information, clarification, etc., before making a decision on the Regional request.
5. TIMING: This proposed action constitutes a stabilization action while negotiations with PRPs continue. This action is a time critical removal. The Region does not know how much longer the tanks can remain intact. Any release could result in the threat of fire and explosion, direct contact, and drinking water contamination.
6. CONSISTENCY WITH REMEDIAL ACTION TO BE TAKEN: The site is not on the National Priorities List and is not being considered for ranking or remedial action. The removal would result in the stabilization of the site so that negotiations may be conducted with the PRPs. This stabilization and any continued action by the PRPs would lead to a total surface cleanup and the removal of all sources of contamination and is therefore consistent with any long-term plans.
7. RECOMMENDATION: NERR recommends that the AA/OSWER approve the Region V request. This action meets the NCP section 300.65 and CERCLA Section 104(a) and (c) removal action criteria. OWPE and OGC have concurred.